

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>In re:</b>	:	
	:	<b>Case No.: 23-10517</b>
<b>Mila K Shakopee</b>	:	<b>Chapter 13</b>
	:	<b>Judge Patricia M. Mayer</b>
<b>Debtor(s)</b>	:	<b>*****</b>
	:	
<b>Lakeview Loan Servicing, LLC</b>	:	<b>Date and Time of Hearing</b>
	:	<b>Place of Hearing</b>
<b>vs</b>	:	<b>July 10, 2024 at 01:00 p.m.</b>
	:	
<b>Mila K Shakopee</b>	:	<b>U.S. Bankruptcy Court,</b>
<b>Jeffrey K Betts</b>	:	<b>900 Market Street, Courtroom #1,</b>
<b>Kenneth E. West</b>	:	<b>Philadelphia, PA, 19107</b>
<b>Respondents.</b>	:	

**MOTION OF LAKEVIEW LOAN SERVICING, LLC FOR RELIEF FROM THE  
AUTOMATIC STAY AND CODEBTOR STAY AS TO JEFFREY K BETTS ON FIRST  
MORTGAGE FOR REAL PROPERTY LOCATED AT 142 WINDERMERE AVENUE,  
LANSDOWNE, PA 19050 WITH 30-DAY WAIVER**

Lakeview Loan Servicing, LLC ("Creditor"), by and through the undersigned counsel, moves the Court pursuant to 11 U.S.C. § 362(d) for an Order granting relief from the automatic stay and pursuant to 11 U.S.C § 1301 granting relief from the codebtor stay as to Jeffrey K Betts on the real property located at 142 Windermere Avenue, Lansdowne, PA 19050 ("Property"). In support of its motion, Creditor states the following:

1. Mila K Shakopee ("Debtor") filed a petition for relief under Chapter 13 of the Bankruptcy Code on February 23, 2023 (the "Petition Date").
2. On September 26, 2014, Debtor and Jeffrey K Betts (the "Codebtor") executed a Note in the original amount of \$213,600.00 (the "Note"). A copy of the Note is attached hereto as Exhibit A.

3. To secure the Note, a Mortgage was given September 26, 2014, and recorded October 7, 2014. A copy of the Mortgage and subsequent Assignment of Mortgage are attached as Exhibit B, evidencing perfection of Creditor's security interest in the Property which is more particularly described in the Mortgage.
4. Attached are redacted copies of any documents that support the claim, such as promissory notes, purchase order, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements in support of right to seek a lift of the automatic stay and foreclose if necessary.
5. There are no other liens against the property as listed in Debtor's Schedule D.
6. As of June 4, 2024, the total outstanding amount due on the Note is \$176,800.94 which consists of:

Principal	\$175,816.10
Interest	\$2,852.40
Escrow Advance	\$0.00
Late Charges	\$0.00
Other Fees	\$20.00
Suspense funds	\$(1,887.56)

7. Creditor seeks relief from the automatic stay pursuant to 11 USC § 362(d) and the codebtor stay pursuant to 11 USC § 1301 to proceed under applicable non-bankruptcy law to enforce its remedies and to take any and all actions necessary to accelerate the balance due on the Note, to foreclose the Mortgage in accordance with state law, to apply the net proceeds to the obligation, and to otherwise exercise its contractual and state law rights as to the Property.
8. Creditor is entitled to relief from the automatic stay for the following reason(s):
  - a. Creditor is not adequately protected per 11 USC § 362(d)(1) based upon Debtor's post-petition default.

- b. As of June 4, 2024, Debtor and Codebtor are in default post-petition. Debtor and Codebtor have failed to make full post-petition payments for the past 4 months and are in default in the amount of \$5,962.52. This amount is broken down as follows:

<b><u>Post-Petition Payments Delinquent to Creditor</u></b>		
<b>Date Range</b>	<b>Amount</b>	<b>Total</b>
March 2024 to June 2024	\$1,962.52	\$7,850.08
Suspense: \$(1,887.56)		
Total: \$5,962.52		

9. Creditor requests that the Court order that Rule 4001(a)(3) is not applicable.
10. Creditor further requests that further compliance with Fed.R.Bankr.P. 3002.1 be waived as to creditor in the instant bankruptcy case upon entry of an Order granting relief from the automatic stay.

WHEREFORE, Creditor prays for the entry of an Order Granting Relief from the Automatic Stay and the Codebtor Stay.

Respectfully submitted,

/s/Alyk L. Oflazian

Alyk L. Oflazian, Esquire (312912)  
Adam B. Hall (323867)  
Manley Deas Kochalski LLC  
P.O. Box 165028  
Columbus, OH 43216-5028  
Telephone: 614-220-5611  
Fax: 614-627-8181  
Attorneys for Creditor  
The case attorney for this file is Alyk L. Oflazian.  
Contact email is  
ALOf lazian@manleydeas.com

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**In re:** :  
: **Case No.: 23-10517**  
**Mila K Shakopee** : **Chapter 13**  
: **Judge Patricia M. Mayer**  
**Debtor(s)** : **\*\*\*\*\***

:  
**Lakeview Loan Servicing, LLC** : **Date and Time of Hearing**  
**Movant,** : **Place of Hearing**  
**vs** : **July 10, 2024 at 01:00 p.m.**  
:  
**Mila K Shakopee** : **U.S. Bankruptcy Court,**  
**Jeffrey K Betts** : **900 Market Street, Courtroom #1,**  
**Kenneth E. West** : **Philadelphia, PA, 19107**  
**Respondents.** :

**CERTIFICATE OF SERVICE**

I certify that on the date of filing, a copy of the foregoing Motion of Lakeview Loan Servicing, LLC for Relief from the Automatic Stay and Codebtor Stay as to Jeffrey K Betts on First Mortgage for Real Property located at 142 Windermere Avenue, Lansdowne, PA 19050 with 30-day waiver was filed electronically. Notice of this filing will be sent to the following parties through the Court's Electronic Case Filing System:

Office of U.S. Trustee, Party of Interest, (Registered address)@usdoj.gov

KENNETH E. WEST, Office of the Chapter 13 Standing Trustee,  
ecfemails@ph13trustee.com

BRAD J. SADEK, Attorney for Mila K Shakopee, brad@sadeklaw.com

I certify that on the date of filing, a copy of the foregoing document was sent by U.S. Mail to the following:

Mila K Shakopee, 142 Windermere Avenue, Lansdowne, PA 19050

Jeffrey K Betts, 1627 S. 17th Street, Philadelphia, PA 19146

/s/Alyk L. Oflazian